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Note verbale dated 19 February 2018 from the Permanent Mission of Armenia to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Armenia to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and kindly requests the Office of the High Commissioner to circulate the statement attached (see annex)* on the commemoration of the thirtieth anniversary of the Sumgait massacres (pogroms) as a document of the thirty-seventh session of the Human Rights Council, under agenda item 4.

* Reproduced as received, in the language of submission only.

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Annex to the note verbale dated 19 February 2018 from the Permanent Mission of Armenia to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

Commemoration of the 30th Anniversary of the Sumgait Massacres (Pogroms)

This year marks the 30th anniversary of the Sumgait massacres, planned and executed by Soviet Azerbaijan's authorities against Armenian population of the town of Sumgait on February 27-29, 1988. The violent mass atrocities and forced deportation of Armenians were the response of Azerbaijani authorities to peaceful and legitimate demand of the people of Nagorno-Karabakh to exercise their right to self-determination, stipulated by Soviet legislation, as well as international law. From the very beginning Azerbaijan rejected dialogue, resorted to the language of threats and intimidation and pursued policy of violent oppression of the free will of the people. With the Soviet Azerbaijani authorities' connivance, dozens of Armenians were killed, hundreds raped and maimed, thousands expelled from Sumgait in February 1988. They were the first victims of Azerbaijan's policy of terror aimed, among others, at oppressing the rightful demands of the Armenians of Nagorno-Karabakh.

The pogroms of Armenians in Sumgait were the first instance of ethnic cleansing, and the Armenians driven out from Sumgait were the first refugees in what was still Soviet space. The ethnic cleansing of Armenians was preceded by a wave of anti-Armenian demonstrations, hate speech and propaganda by highest authorities and leaders throughout Azerbaijan.

Those atrocities were the very reason Andrei Sakharov, Nobel Peace Prize Laureate, wrote that "If anyone was in doubt before Sumgait whether Nagorno-Karabakh should belong to Azerbaijan, then after this tragedy no one can have the moral right to insist that it [NKAO (Nagorno-Karabakh Autonomous Oblast)] should."[1]

The international community strictly condemned the Sumgait massacre. In its resolution of July 7, 1988, the European Parliament defined "...anti-Armenian pogroms in Sumgait" as "...a threat to the safety of the Armenians living in Azerbaijan."[2] However, the succeeding authorities of Azerbaijan preferred silencing the truth about the Sumgait tragedy, concealing its true causes. The impunity granted to its perpetrators paved the way for atrocities and ethnic cleansing of Armenians also in other cities of Azerbaijan.[3] Widespread brutalities reached their peak in the form of bloody massacres and mass deportations of Armenians of Baku in January 1990 and ethnic cleansing of Shahumyan district in April-May of 1991. This was followed by a full-scale military aggression against the people of Nagorno-Karabakh.

The Azerbaijani leadership, then and now, never expressed remorse over the ethnic cleansing and massacres of the Armenians of Azerbaijan, or the Armenians of Karabakh. As stated in an interview in 2003 by Ilias Izmailov, prosecutor during the Sumgait

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[1] Letter to M. Gorbachev, "Nezavisimaya Gazeta", 27.10.1992.

[2] Official journal of the European Communities, No. C 94/117, July, 1988.

[3] "The pogroms of Sumgait in February 1988 were followed by massacres in Kirovabad and Baku in November 1988. As recently as January 1990, the pogroms continued in Baku and other parts of Azerbaijan. The mere fact that these pogroms were repeated and the fact that they followed the same pattern lead us to think that these tragic events are no accidents or spontaneous outbursts. Rather, we are compelled to recognize that the crimes against the Armenian minority have become consistent practice — if not consistent policy — in Soviet Azerbaijan." (The New York Times, 27 July 1990).

massacres, later Azerbaijan's Prosecutor General, the instigators of pogroms in Sumgait "…now have seats in Milli Majlis [Parliament]"[4].

The anti-Armenian hatred, officially promoted by the highest leadership of Azerbaijan, became the cornerstone for shaping national identity and the tool of distracting the attention of its society from the dire human rights situation in the country. Azerbaijani leadership has officially been portraying Armenians all over the world as the enemy number one and has openly been encouraging crimes against Armenians. The result of such policy was brutal killing, during the NATO-sponsored English language courses in the framework of *Partnership for Peace* program in Budapest in 2004, of Armenian officer Gurgen Margaryan, while he was asleep, by Azerbaijani officer Ramil Safarov. The axe-murderer Safarov was not only pardoned, but also glorified, promoted to a higher military rank and portrayed as a hero by Ilham Aliyev, President of Azerbaijan.

The prevailing climate of impunity for the hate crimes targeting the Armenians, their dehumanization, and glorification of these crimes, is ongoing in Azerbaijan.

The vivid example was the large scale aggression of Azerbaijan against Nagorno-Karabakh in April 2016, accompanied by atrocities of unspeakable cruelty towards the civilian population, including elderly persons and children, perpetrated by servicemen of Azerbaijani armed forces, some of whom later got awarded by the President of Azerbaijan. This was yet another demonstration of the state-supported violence against the Armenians.

The racial discrimination, hatred and intolerance towards Armenians in Azerbaijan has been addressed by various international and regional human rights bodies. The European Commission against Racism and Intolerance of the Council of Europe, which recognized Armenians as vulnerable group in Azerbaijan, stated in its reports that:

> "ECRI is still deeply concerned about the fact that the constant negative official and media discourse concerning the Republic of Armenia helps to sustain a negative climate of opinion regarding people of Armenian origin coming under the Azerbaijani authorities' jurisdiction".[5]

> "Political leaders, educational institutions and media have continued using hate speech against Armenians; an entire generation of Azerbaijanis has now grown up listening to this hateful rhetoric."[6]

ECRI also states that this prejudice is so ingrained that describing someone as an Armenian in the media is considered to qualify as an insult.

The human rights defenders, journalists, writers and activists in Azerbaijan, who dare to speak out the truth about the Sumgait pogroms, who try to advocate peace and reconciliation between Armenia and Azerbaijan are threatened, intimidated, imprisoned and tortured. The Azerbaijani writer Akram Aylisli, who referred to the anti-Armenian massacres in Sumgait, Baku and Nakhijevan in his novel "Stone Dreams" became the victim of state-supported smear campaign.

Anti-Armenian hatred and aggressive rhetoric form significant part of internal political discourse in Azerbaijan and are instrumentalized to consolidate the power of the ruling dynasty. In his speech at the ruling New Azerbaijan party meeting, on February 8 of this year, Azerbaijani president Ilham Aliyev openly reiterated territorial claims to Armenia: "… Erivan is our historical land and we, the Azerbaijanis, must return to these

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[4] Zerkalo, Azerbaijani newspaper, 21 February 2003.

[5] ECRI report on Azerbaijan (fourth monitoring cycle), Adopted on 23 March 2011, available at: https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Azerbaijan/AZE-CbC-IV-2011-019-ENG.pdf.

[6] ECRI report on Azerbaijan (fifth monitoring cycle), Adopted on 17 March 2016, available at: https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Azerbaijan/AZE-CbC-V-2016-017-ENG.pdf.

historical lands. This is our political and strategic goal, and we must gradually approach it."[7]

The Sumgait massacre was the first manifestation of the anti-Armenian policy of Azerbaijan. Today, exactly like 30 years ago, the people of Nagorno-Karabakh are fighting for their right to life, their physical survival. History has illustrated that lack of adequate reaction by the international community to the rise of racism and xenophobia in Azerbaijan and impunity of its leadership for Sumgait, Kirovabad, Baku massacres and other crimes against humanity, served as encouragement for Azerbaijan to further support anti-Armenian hate crimes.

We pay tribute to the innocent victims of the Sumgait tragedy and underline the need to dismantle breeding ground of such ethnicity based crimes through, *inter alia*, honouring and protecting their victims and punishing the perpetrators and masterminds.

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[7] Speech of Ilham Aliyev, President of Azerbaijan, at the 6th Congress of New Azerbaijan Party, 08.02.2018, available at: http://en.president.az/articles/26988.